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DUE DATE APRIL 15, 2010

**THIS SCHEDULE MUST BE FILED EVERY YEAR
REGARDLESS IF ANY ADDITIONS OR DELETIONS WERE MADE**

COAL REAL AND PERSONAL PROPERTY

IMPORTANT DOCUMENT – PLEASE READ

CONTENTS

| | |
|----------------|---|
| DS 618 | COAL REAL AND PERSONAL PROPERTY DECLARATION SCHEDULE |
| DS 618A | INSTRUCTIONS |

FOR ASSESSMENT YEAR BEGINNING JANUARY 1, 2010

STATE OF COLORADO GENERAL INFORMATION

(Declaration Schedules and Attachments Are Confidential And Private Documents By Law.)

For these instructions, please refer to the following statutes: §§ 39-3-118.5, 39-3-119.5, 39-5-104.5, 39-5-104.7, 39-5-107, 39-5-108, 39-5-110, 39-5-113 through 117, 39-5-120, and 39-21-113(7), C.R.S.

In accordance with § 39-3-119.5, C.R.S., you are not required to file the personal property portion of this declaration if the total actual value of your personal property per county is \$4,000 or less.

If you are unsure as to whether the total actual value of your personal property per county exceeds \$4,000, please contact the county assessor.

WHO FILES A DECLARATION SCHEDULE? The owner (legal titleholder) of taxable personal property, their agent, and those in possession and/or control of the taxable personal property as of January 1 must file a declaration schedule. All personal property, such as a business/organization's:

■ Equipment ■ Security Devices ■ Machinery ■ Household Furnishings ■ Personal Effects, not otherwise exempt by law, must be listed on this schedule.

IS YOUR BUSINESS NEW? ARE YOU A NEW OWNER? If you answer "yes" to either question, or you have never filed with the county assessor and you own taxable personal property, you are required to provide a complete detailed listing of all machinery, equipment, and other personal property. Please include: ■ Item ID Number ■ Property Description ■ Model Number ■ Year Acquired ■ Original Installed Cost to You.

PRORATION OF PERSONAL PROPERTY VALUE IS GENERALLY NOT ALLOWED: As of January 1, 1996, the only proration of personal property value allowed is for Works of Art loaned to and used for charitable purposes by an exempt organization. If other taxable personal property was located in Colorado on the assessment date, it is taxable for the entire assessment year, providing that, if it was newly acquired, it was put into use as of the assessment date (January 1). If it was not located in the state on the assessment date, or if it was newly acquired, but was not put into use as of the assessment date, it cannot be taxed until the next assessment year. Except for works of art, personal property that is exempt on the assessment date retains its exempt status for the entire assessment year. These requirements do not affect the proration of real property.

WHEN DO YOU FILE? This form must be received by the county assessor by the April 15 deadline EVERY YEAR.

HOW DO YOU FILE FOR AN EXTENSION? You may extend the deadline if, prior to April 15, the assessor receives your written request AND \$20 for a 10-day extension, or \$40 for a 20-day extension. This extension applies to all personal property schedules (single or multiple), which a person is required to file in the county.

WHAT HAPPENS IF YOU FAIL TO FILE? The late filing penalty is \$50 or 15% of the taxes due, whichever is less. If you fail to file a schedule, the assessor may determine a valuation based upon the BEST INFORMATION AVAILABLE and may add a penalty of up to 25% of assessed value for any omitted property discovered and valued later.

NOTE: Failure to properly file a declaration schedule may prevent you from receiving an abatement per Colorado case law. Property Tax Adm'r v. Production Geophysical, 860 P.2d 514 (Colo. 1993)

WHY IS THE DECLARATION FORM IMPORTANT? Assessors use this information to help calculate the property's actual value. This value is based on the property's use and condition as of January 1 of each assessment year.

WHAT HAPPENS AFTER YOU SUBMIT THIS FORM?

- The assessor may request more information or conduct a physical inventory of your personal property at your business location.
- Notices of Valuation are mailed on June 15 to the address listed on this schedule.

**INSTRUCTIONS FOR COMPLETING THE COAL REAL AND PERSONAL PROPERTY
DECLARATION SCHEDULE, DS 618**

- A. NAME AND ADDRESS:** Write any corrections to the preprinted name/address information under Change of Name or Address. If you are not the current business owner, please list the name and address of the new owner in the appropriate box. Also, list the date that the property was sold to the new owner.

PROPERTY LOCATION/LEGAL DESCRIPTION: If not pre-printed, enter the actual physical location/legal description of real and personal property owned by you and located within this county. This includes property owned or under your control or in your possession as of January 1. Indicate if there has been a change in location. List any additional property locations.

- B. OPERATION:** Complete this section by providing your business start-up date and primary product or service. If you are not the current business owner, please list the name and address of the new owner in the appropriate box.

BUSINESS STATUS: Check the box that best describes your business status.

- C. LAND INFORMATION:** The owner or operator shall furnish information consisting of all property owned or leased subject to production or non-production. The distribution of the leases and/or land shall be furnished, or sufficient documentary evidence shall be filed with the assessor for the development of such information.

- D. LEASE & PERMIT INFORMATION:** The owner or operator must furnish names and other information pertaining to any leases. Leases shall be on file with the assessor and kept updated by the owner or operator. Indicate if a Colorado Division of Minerals and Geology (DMG) permit is on file with the county clerk.

- E. PRODUCTION INFORMATION:** Provide the: ■ Number of tons and their production cost of the previous calendar year ■ Number of tons sold and the gross and net incomes derived from sales for the previous calendar year ■ Names of other substances mined at this site ■ Washing cost/ton if coal is "WASHED" at mine prior to sale.

- F. RESERVE INFORMATION:** Every year, the operator must file with the assessor annually updated engineering or geological reports that set forth reserve information, which should include the latest data.

- G. GEOLOGICAL INFORMATION:** Furnish items of geological and chemical information, including: ■ Heat Value ■ Sulfur Content ■ Moisture ■ Ash ■ Volatile Matter ■ Fixed Carbon ■ Rank or Class (such as lignite, bituminous, etc.). In the case of metallurgical coal, note the free swelling index. A range of values will suffice in the absence of other data.

- H. PURCHASER'S STATEMENT:** List names and addresses of purchasers of coal producers during the prior calendar year. In addition, provide information as to: ■ Whether it was a contract or spot sale ■ Market price for which the coal was sold (not including freight) ■ Freight charge, if any ■ Total price, including freight, received for the coal.

- I. LISTING OF REAL PROPERTY IMPROVEMENTS:** List the: ■ Description and location of all buildings and other leasehold improvements ■ Construction or Installation Date ■ Your Original Installed Cost. The taxpayer may attach statements or accounting records to describe this property.

- J. LISTING OF PERSONAL PROPERTY:** Natural resources personal property includes equipment, furniture, or machinery that is used in the: ■ Exploration ■ Production ■ Milling ■ Processing ■ Refining of natural resource products. If you are a first time filer or are unsure as to whether the total actual value of your personal property per county exceeds \$4,000, please contact the county assessor. **Whether or not you file a schedule, the assessor may select your business for an audit.**

NOTE: List ALL Personal Property including EXPENSED ASSETS WITH A LIFE OF GREATER THAN ONE YEAR AND FULLY DEPRECIATED ASSETS STILL IN USE THAT ARE SUBJECT TO IRS DEPRECIATION. You should also submit any relevant market value, rent, or lease information.

“CONSUMABLE” PERSONAL PROPERTY EXEMPT FROM TAXATION:

Pursuant to § 39-3-119, C.R.S., personal property items that are classified as “consumable” as defined in ARL Volume 5, Chapter 2, are exempt from taxation and should **NOT** be listed on this declaration. “Consumable” personal property is defined as any item having a life of one (1) year or less regardless of cost, and any item with a life longer than one year that has an acquisition cost or fair market value of \$250 or less at the time of acquisition. The \$250 limitation applies to each item of personal property fully assembled and ready for use and includes all installation costs, sales taxes, and freight expenses.

IMPORTANT: YOU MUST SUBMIT A COMPLETE PROPERTY LISTING IF YOU HAVE NEVER PROVIDED ONE FOR THIS LOCATION. Do not list merchandise inventory, materials, or supplies. Do list all other personal property acquired by you during the prior year. If you have given the assessor such a list, you may simply submit additions and deletions each year.

1. List all taxable personal property acquired by you during the prior year, providing: ■ Item ID Number ■ Complete Property Description Including Model Number or Capacity ■ Year Acquired ■ If the Item is New or Used ■ Original Installed Cost to You (Current Owner) ■ The Month and Year Each Item was First Placed into Service or is Scheduled to be Placed into Service. You should separately submit any available market value, rent, or lease information. The **Original Installed Cost to You** is defined as the amount that was paid for the personal property when new inclusive of ■ Sales/Use Tax ■ Freight and ■ Installation Charges. If the item was purchased used, include its Cost to You along with Sales/Use Tax, Freight, and Installation Charges.
2. List all taxable personal property sold, traded, or scrapped during the prior year. For all items deleted, provide ■ Item ID Number ■ Property Description ■ Year Acquired ■ If the Item is New or Used ■ Original Installed Cost to You (Current Owner).
3. List all unlicensed mobile equipment at this location. Do not list licensed vehicles, mobile equipment with SMM license plates, rental decals, or Z-tabs.
4. All leasehold improvements must be itemized to include: ■ Property Description ■ Year Acquired ■ Your Original Installed Cost.

K. DEPRECIATION: If you file a Form 4562 or 4562-A with the IRS, please provide a copy of your completed IRS Form with an itemized listing of all personal property including the description and cost of each item. Note that all personal property that is expensed should be included in your listing. In addition, attach a copy of the latest detailed Depreciation Schedule from your financial records.

L. LEASED, LOANED OR RENTED PERSONAL PROPERTY: All personal property leased, loaned, or rented to you must be listed in this section. Property rented for 30 days at a time or less, returned at the renter's option, and for which sales/use tax is collected before it is finally sold, is considered exempt and should **NOT** be reported. You must identify each item of leased personal property as follows: ■ Owner/Lessor's Name, Address, and Telephone Number ■ Property Description Including Model and Serial Number ■ Cost of the Lease ■ Lease Number ■ Lease Term (From-To) ■ Total Amount of Annual Rent. If any of the leased equipment listed is capitalized on your books and records, please check the box at the beginning of the line corresponding with the name of the Lessor. Also, if purchase or maintenance options are included in the lease, check this box and provide details of these options on a separate sheet.

M. DECLARATION AND SIGNATURE: Print name of owner, name of person signing, phone number, and e-mail address. Then sign, date, and return this form to the assessor by **April 15th**. § 39-5-107, C.R.S.

State of Colorado
COAL REAL AND PERSONAL PROPERTY
DECLARATION SCHEDULE

(CONFIDENTIAL DATA)

Assessment Date
January 1,
2010

Due Date
April 15,
2010

County

RETURN TO COUNTY ASSESSOR

| B.A. CODE | T.A. CODE | SCHEDULE NUMBER | DO NOT USE – FOR ASSESSOR ONLY | | | | | | |
|---|-----------|-----------------|--------------------------------|----------------------------------|-------|--|--------------|-----|----------------|
| | | | Code | Description | Acres | Tons | Actual Value | % | Assessed Value |
| A. NAME AND ADDRESS (INDICATE ANY CHANGES OR CORRECTIONS) | | | 5110 | Prod. Reserves Land & Leaseholds | | | | 29% | \$ |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | 5210 | Improvements | | | | 29% | \$ |
| PHYSICAL LOCATION/LEGAL DESCRIPTION OF THE PERSONAL PROPERTY AS OF JANUARY 1, 2010: | | | 5410 | Equip., Furn. & Machinery | | | | 29% | \$ |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | TOTAL | | \$ | | | |
| | | | RECEIVED | | | APPROVED | | | |
| | | | COMPLETED | | | ABSTRACT CHGS. | | | |
| | | | LATE FILING PENALTY APPLIED | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | | |
| B. OPERATION: Start-Up Date | | | | | | If you are not the current business owner, please list the name and address of the new owner below. Date Sold _____ | | | |
| Type of Product | | | | | | | | | |
| BUSINESS STATUS: Check the appropriate box:: <input type="checkbox"/> New Business <input type="checkbox"/> New Owner(s) <input type="checkbox"/> Check box if this is your first return. If this is your first return, You MUST furnish a complete itemized listing. | | | | | | | | | |

All Royalty Owners or Coal Mine Producers MUST complete and return this form to the County Assessor by April 15th.

C. LAND INFORMATION

| | |
|----------------------------------|-------|
| TOTAL ACRES: | |
| Owned | _____ |
| Leased | _____ |
| Permitted | _____ |
| NUMBER OF ACRES THAT ARE: | |
| Affected | _____ |
| Non-reserve | _____ |
| Depleted | _____ |

D. LEASE AND PERMIT INFORMATION

| | |
|----|--|
| 1. | Lease Information (Attach extra sheet for additional leases) |
| | Lessor's name _____ |
| | Lease date _____ |
| | Lease term _____ |
| | Royalty rate _____ |
| | Lease options _____ |
| | Leases are on file with County Assessor <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. | Permit Information: Division of Minerals and Geology |
| | Permit Number _____ |

E. PRODUCTION INFORMATION

| | | |
|----|---|----------|
| 1. | Tons of coal produced from all lands during preceding calendar year | _____ |
| 2. | Production cost of all coal produced during preceding calendar year | \$ _____ |
| 3. | Tons sold during preceding calendar year | _____ |
| | Beneficiation or washing cost per ton (if applicable) | \$ _____ |
| 5. | Gross income from coal sold during preceding calendar year | \$ _____ |
| 6. | Net income from all coal sold during preceding calendar year | \$ _____ |
| 7. | Note any other substances mined or produced at this site | _____ |

F. RESERVE INFORMATION

| | | |
|----|---|--|
| 1. | Estimated recoverable amount (in tons) | _____ |
| 2. | Estimated durability of reserves (in years) | _____ |
| 3. | Number of acres (in reserves) | _____ |
| 4. | Is there a geological report concerning the coal geology of the reserve area? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | Name of report | _____ |
| | Location of report | _____ |
| | | _____ |
| | | _____ |
| | | _____ |

G. GEOLOGICAL INFORMATION

| | |
|---|---------------------------------------|
| Please complete the items below to supply important Information about the mined coal's chemical properties: | |
| 1. | Heat value (BTU/lb) _____ |
| 2. | Sulfur content (%) _____ |
| 3. | Moisture (%) _____ |
| 4. | Ash (%) _____ |
| 5. | Volatile matter (%) _____ |
| 6. | Fixed carbon (%) _____ |
| 7. | Rank of coal (bituminous, etc.) _____ |
| 8. | Free swelling index (FSI)** _____ |
| **Complete if you are mining metallurgical grade coal. | |

SEE OTHER SIDE

H. PURCHASER'S STATEMENT (will be treated as strictly confidential)

| Name and Address | Contract or Spot Sale | Date of Contract Or Spot Sale | Price Received | Freight Charge | Total Price Received |
|------------------|-----------------------|-------------------------------|----------------|----------------|----------------------|
| | | | | | |
| | | | | | |

I. LISTING OF REAL PROPERTY IMPROVEMENTS (Attach separate sheet(s) if needed).

| List buildings and other improvements constructed or installed the previous year. Include the property description and location, installation date, your installed cost, and any additions since original installation. | | | |
|---|----------------------|-------------------------|---------------------------------------|
| Buildings and Other Improvements Description and Location | Date of Installation | Original Installed Cost | Additions Since Original Installation |
| | | | |
| | | | |

J. LISTING OF PERSONAL PROPERTY

****FOR AN ACCURATE ASSESSMENT, WE MUST HAVE A COMPLETE LISTING OF PERSONAL PROPERTY****

NOTE: Include ALL Expensed Assets With a Life of Greater Than 1 Year, Fully Depreciated Assets Still in Use, and Stored Assets Which Have Been Subject to IRS Depreciation. In accordance with § 39-3-119.5, C.R.S., you are not required to complete this section if the total actual value of your personal property per county is \$4,000 or less. If you are a first time filer or are unsure as to whether the total actual value of your personal property per county exceeds \$4,000, please contact the county assessor. **Whether or not you file a declaration schedule, the assessor may select your business for an audit.**

☐ Check here if there are no additions. (1) List Personal Property acquired prior to January 1. (Attach separate sheet(s), if needed).

| Item ID No. | Complete Description Including Model or Capacity | Year Acquired | Check One For Each Item: | Original Installed Cost to You | Month & Year First Placed into Service |
|-------------|--|---------------|--|--------------------------------|--|
| | | | <input type="checkbox"/> New <input type="checkbox"/> Used | | |
| | | | <input type="checkbox"/> New <input type="checkbox"/> Used | | |
| | | | <input type="checkbox"/> New <input type="checkbox"/> Used | | |

☐ Check here if there are no deletions. (2) List Personal Property sold, traded, or permanently disposed of as of January 1.

| | | | | | |
|---|--|--|--|--|-------------|
| | | | <input type="checkbox"/> New <input type="checkbox"/> Used | | |
| | | | <input type="checkbox"/> New <input type="checkbox"/> Used | | |
| | | | <input type="checkbox"/> New <input type="checkbox"/> Used | | |
| (3) List Unlicensed Mobile Equipment. Do not list mobile equipment with SMM license plates, rental decals, or Z-tabs. | | | | | Year In Use |
| | | | <input type="checkbox"/> New <input type="checkbox"/> Used | | |
| | | | <input type="checkbox"/> New <input type="checkbox"/> Used | | |

(4) List ALL leasehold Improvements. (Attach separate sheet(s), if needed).

| Description | Year Acquired | Your Original Installed Cost |
|-------------|---------------|------------------------------|
| | | |

K. DEPRECIATION: If you file a form 4562 or 4562-A with the IRS, please provide a copy of your completed IRS Form with an itemized listing of all personal property including the description and cost of each item. Note that all personal property that is expensed should be included in your listing. In addition, attach a copy of the latest detailed Depreciation Schedule from your financial records.

| | |
|--|--|
| | |
|--|--|

L. LEASED, LOANED, OR RENTED PROPERTY (Furniture, Signs, etc.) **Declare Personal Property Owned by Others Here.**

☐ Check here If you possessed any leased, loaned, or rented machinery, equipment, furniture, signs, vending machines on January 1st. Do not list licensed vehicles, mobile equipment with SMM license plates, rental decals, or Z-tabs. List below, showing owner's name, address, and telephone number; property description; etc. If any of the leased equipment is capitalized on your books and records, please check the box at the beginning of the line corresponding with the name of the Lessor.

| Owner/Lessor's Name Address, Telephone Number | Description including Model/Serial No. | Cost of Lease | Lease Number | Term (From - To) | Annual \$ Rent |
|--|--|---------------|--------------|------------------|----------------|
| <input type="checkbox"/> | | | | | |
| <input type="checkbox"/> | | | | | |

Are purchase or maintenance options included in the total annual rent shown above? ☐ Yes ☐ No If yes, please furnish details.

M. DECLARATION **THIS RETURN IS SUBJECT TO AUDIT**

"I declare, under penalty of perjury in the second degree, that this schedule, together with any accompanying exhibits or statements, has been examined by me and to the best of my knowledge, information, and belief sets forth a full and complete list of all taxable personal property owned by me, or in my possession, or under my control, located in this county, Colorado, on the assessment date of this year; that such property has been reasonably described and its value fairly represented; and that no attempt has been made to mislead the assessor as to its age, quality, quantity, or value." § 39-5-107(2), C.R.S.

FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEIN) _____

NAME OF OWNER _____

PRINT NAME OF PERSON SIGNING _____ PHONE NUMBER _____

E-MAIL ADDRESS _____ FAX NUMBER _____

SIGNATURE OF OWNER OR AGENT _____ DATE _____

☐ Check here if new agent. If new agent, submit a letter of authorization when filing this form.

PLEASE COMPLETE, SIGN AND RETURN TO THE ASSESSOR ON OR BEFORE APRIL 15, 2010.

MAKE A COPY FOR YOUR RECORDS.